



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael Austin
Application No.: 09/683249
Filed: December 5, 2001
For: Combined Balloon-Expanding and Self-Expanding Stent
Examiner: Michael Thaler
Group Art Unit: 3731

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2B-10014-US01

TRANSMITTAL LETTER

1. In regard to the above-identified application, in addition to this 1 page transmittal letter, we are submitting the attached:
1 page Request for Continued Examination (RCE) Transmittal; \$1,190.00 check; 8 page Amendment; 1 page Petition for an Extension of Time Under 37 C.F.R. §1.136; 4 page Fifth Supplemental IDS; 2 page form listing cited references; copy of 4 references and Postcard.
2. With respect to fees:
 No additional fee is required.
 Attached is check(s) in the amount of \$1,190.00
 Charge additional fee to our Deposit Account No. 22-0350.
3. **CONDITIONAL PETITION FOR EXTENSION OF TIME**
This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time or for a petition and fee for any other matter petitionable to the Commissioner as required. If any extension of time for the accompanying response is required or if a petition for any other matter is required, by petitioner, Applicant requests that this be considered a petition therefor.
4. Notwithstanding paragraph 2 above, if any additional fees associated with this communication are required and have not otherwise been paid, including any fee associated with the Conditional Petition for Extension of Time, or any request in the accompanying papers for action which requires a fee as a petition to the Commissioner, please charge the additional fees to Deposit Account No. 22-0350. Please charge any additional fees or credit overpayment associated with this communication to the Deposit Account No. 22-0350.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: January 20, 2004

By: Brendan Babcock
Brendan C. Babcock
Registration No.: 50705

6109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001
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Certificate Under 37 CFR 1.10: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as EXPRESS MAIL, Label No. EV392896301US, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 20, 2004.

Rebecca M. Painschab
Rebecca M. Painschab

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JAN 27 2004
TECHNOLOGY CENTER R3700